



Attorney's Docket No.: 10417-084001 / F51-134741M/SW

2815
RFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Izuo Iida
Serial No. : 09/876,554
Filed : June 7, 2001
Title : METHOD OF MANUFACTURING SEMICONDUCTOR DEVICE

Art Unit : 2815
Examiner : N. Drew Richards

Fee only

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT IN REPLY TO ACTION OF APRIL 28, 2004

Please amend the above-identified application as follows:

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JULY 28, 2004
Date of Deposit

Patricia F. Suchanek
Signature

PATRICIA F. SUCHANEK
Typed or Printed Name of Person Signing Certificate

integrate layer 50 that separates the oxide film 45 on the floating polygate 40 from the control polygate 60 (FIG. 2f).

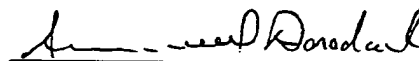
As already noted, however, the Hsieh et al. patent relates only to the fabrication of a memory cell, not to the fabrication of MISFETS or MOS transistors. At most, the cited references suggest forming a tunneling insulating film in connection with a memory cell. Therefore, there is no suggestion in either of the cited patents of forming a tunneling insulating film over an oxide film of a memory cell, as well as over a gate insulating film of a MOS transistor, as recited in the pending claims.

For that additional reason, applicant submits that the pending claims should be allowed.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 7/28/04



Samuel Borodach
Reg. No. 38,388

Fish & Richardson P.C.
45 Rockefeller Plaza, Suite 2800
New York, New York 10111
Telephone: (212) 765-5070
Facsimile: (212) 258-2291

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						Application or Docket Number 09/876554		
CLAIMS AS FILED – PART I								
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY		
FOR	NUMBER FILED	NUMBER EXTRA		RATE	FEE	RATE	FEE	
BASIC FEE (37 CFR 1.16(a))					\$ _____		\$ _____	
TOTAL CLAIMS (37 CFR 1.16(c))		minus 20 =	*	X \$ _____ =		X \$ _____ =		
INDEPENDENT CLAIMS (37 CFR 1.16(b))		minus 3 =	*	X \$ _____ =		X \$ _____ =		
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))				+ \$ _____ =		+ \$ _____ =		
				TOTAL		TOTAL		
<p>* If the difference in column 1 is less than zero, enter "0" in column 2.</p>								
CLAIMS AS AMENDED – PART II								
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		
8/2/04		(Column 2)		(Column 3)		OR OTHER THAN SMALL ENTITY		
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
	Total (37 CFR 1.16(c))	25	Minus	23	=	2	X \$ 18 =	36.00
	Independent (37 CFR 1.16(b))	7	Minus	7	=	=	X \$ _____ =	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+ \$ _____ =		+ \$ _____ =	
					TOTAL ADD'L FEE		TOTAL ADD'L FEE	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
	Total (37 CFR 1.16(c))	*	Minus	*	=	=	X \$ _____ =	=
	Independent (37 CFR 1.16(b))	*	Minus	***	=	=	X \$ _____ =	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+ \$ _____ =		+ \$ _____ =	
					TOTAL ADD'L FEE		TOTAL ADD'L FEE	
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
	Total (37 CFR 1.16(c))	*	Minus	**	=	=	X \$ _____ =	=
	Independent (37 CFR 1.16(b))	*	Minus	***	=	=	X \$ _____ =	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+ \$ _____ =		+ \$ _____ =	
					TOTAL ADD'L FEE		TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.